

1 NICOLA T. HANNA
United States Attorney
2 LAWRENCE S. MIDDLETON
Assistant United States Attorney
3 Chief, Criminal Division
STEVEN R. WELK
4 Assistant United States Attorney
Chief, Asset Forfeiture Section
5 KATHARINE SCHONBACHLER (Cal. Bar No. 222875)
Assistant United States Attorney
6 Asset Forfeiture Section
1400 United States Courthouse
7 312 North Spring Street
Los Angeles, California 90012
8 Telephone: (213) 894-3172
Facsimile: (213) 894-0142
9 E-mail: Katie.Schonbachler@usdoj.gov

10 Attorneys for Plaintiff
UNITED STATES OF AMERICA
11

12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 ONE ANCIENT MOSAIC,

19 Defendant.

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21 MOHAMAD YASSIN ALCHARIHI,

22 Claimant.
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No. 2:18-CV-04420-JFW (SSx)

DECLARATION OF SPECIAL AGENT
ELIZABETH RIVAS IN SUPPORT OF
THE GOVERNMENT'S STATUS
REPORT RE STAY

[FILED UNDER SEAL PURSUANT
TO ORDER OF THE COURT DATED
FEBRUARY 21, 2019]

DECLARATION OF SPECIAL AGENT ELIZABETH RIVAS

I, Elizabeth Rivas, declare as follows:

1. I am a Special Agent (“SA”) for the Federal Bureau of Investigation (“FBI”) and have served in that capacity for more than twenty one years. I am currently assigned to the FBI Los Angeles Office, Organized Crime Squad. I am also a member of the Art Crime Team of the FBI. On the Art Crime Team, my current responsibilities involve the investigation of art theft, art fraud, and other criminal violations related to the theft of cultural artifacts and antiquities. I have attended classes and courses conducted by the FBI and other agencies regarding art and antiquities theft and smuggling. As a result of my training and experience, I am familiar with how individuals involved in the theft of art and antiquities operate and the patterns generally utilized by these individuals. I have become well-versed in the methodology utilized by individuals involved in the trafficking of stolen art and other stolen property.

2. On May 23, 2018, Plaintiff United States of America (the “government”) filed a civil forfeiture action against the defendant One Ancient Mosaic (the “defendant mosaic”), alleging that the defendant mosaic is subject to forfeiture pursuant to 19 U.S.C. § 1595a(c)(1)(A). Thereafter, Claimant Mohamad Yassin Alcharihi (the “Claimant” or “Alcharihi”), filed a claim to the defendant mosaic and an answer to the complaint.

3. Alcharihi and others are currently being investigated for violations in the ongoing criminal investigation. The criminal investigation and the instant forfeiture proceedings arise out of the same general facts and will involve many of the same issues of fact and law.

4. The ongoing criminal investigation has been unique and time-consuming for a number of reasons. It has been extremely time consuming to review the voluminous data obtained from eleven digital devices and four email accounts associated with the Claimant that were searched pursuant to federal warrants. Many of the records

1 were in a foreign language and therefore needed to be translated. Agents are continuing
2 to review and organize the voluminous evidence in the ongoing criminal investigation.

3 5. In addition to reviewing voluminous amounts of digital evidence, agents
4 also conducted additional investigation to identify and locate the individuals that
5 Claimant was communicating with both in the United States and abroad. Agents
6 conducted interviews of multiple witnesses in the U.S. Agents are currently working
7 with authorities in another country to locate and interview a close associate of Alcharihi
8 who was involved in the purchase of the defendant mosaic. Because the associate
9 resides in a foreign country, this interview request must be processed through the foreign
10 country's authorities which take several months.

11 6. Also, due to the unique nature of the defendant mosaic, it has been difficult
12 to identify experienced and qualified experts to evaluate the defendant mosaic. Agents
13 have made progress in this area and have recently met with an expert and appraiser.
14 Agents are in the process of scheduling an additional expert to evaluate the defendant
15 mosaic. Agent have been in contact with the additional expert and are hopeful the expert
16 will be able to evaluate the defendant mosaic in the next 30 days.

17 7. The government is evaluating potential criminal charges against Claimant
18 and is hopeful that it will be in a position to make a charging decision after the experts
19 have completed their reports and the associate interview is completed.

20 8. Civil discovery and the filing of a motion for summary judgment will most
21 likely adversely affect the ability for the government to conduct the related criminal
22 investigation because it will subject the government's criminal investigation to early civil
23 discovery before an indictment is obtained and criminal trial takes place.

24 9. In order for the government to present its evidence in support of a motion
25 for summary judgment, the government would be required to submit testimonial
26 declarations from law enforcement and other government witnesses, whose testimony
27 are central to the ongoing criminal investigation, creating risks of jeopardizing the
28 criminal investigation.

1 10. As noted in the civil forfeiture complaint, a number of witnesses and an
2 expert were not identified by name to protect their identities while the criminal
3 investigation is ongoing. The government has also not requested the unsealing of the
4 affidavit in support of the federal search and seizure warrant to protect the identities of
5 witnesses and other sensitive information contained in the affidavit before an indictment
6 is obtained and arrests are made. Disclosure of the government's witnesses in the civil
7 matter may also cause Claimant and others to intimidate the witnesses before they could
8 testify in the criminal proceedings.

9 I declare under penalty of perjury under the laws of the United States of America
10 that the foregoing is true and correct and that this declaration is executed in Los Angeles,
11 California, on February 5, 2019.



ELIZABETH RIVAS
Special Agent
Federal Bureau of Investigation